

FILED

JAN 14 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHRISTOPHER PATRICK
MCGOWAN,

Defendant.

CRIMINAL NO. 1-08-mj-70017

NOTICE OF PROCEEDINGS ON
OUT-OF-DISTRICT CRIMINAL
CHARGES PURSUANT TO RULES
5(c)(2) AND (3) OF THE FEDERAL RULES
OF CRIMINAL PROCEDURE

Please take notice pursuant to Rules 5(c)(2) and (3) of the Federal Rules of Criminal
Procedure that on January 14, 2008, the above-named defendant was arrested based upon an
arrest warrant (copy attached) issued upon an

☐ Indictment

☐ Information

☐ Criminal Complaint

☒ Other (describe) Supervised Release Violation pending in the District of Oregon,

Case Number CR 05-0302-HA.

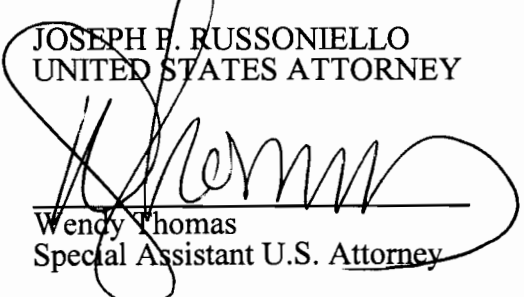
In that case, the defendant is charged with violations of Title 18, United States Code,
Sections 3583(e) - supervised release violation.

1 Description of Charges: The Petition alleges that there is probable cause to believe the
2 defendant violated the following special conditions: (1) that he fail to pay restitution; (2) that he
3 fail to participate in urinalysis testing; (3) that he fail to report to the U.S. Probation Officer as
4 directed by the Court; (4) that he fail to notify the U.S. Probation Officer within seventy-two
5 hours of a change of residence; and (5) that he use a controlled substance.

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7 Respectfully Submitted,

8 JOSEPH P. RUSSONIELLO
UNITED STATES ATTORNEY

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10 Date: 1/14/08

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12 Wendy Thomas
13 Special Assistant U.S. Attorney
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PROB 19
 (Rev 5/92)

UNITED STATES DISTRICT COURT

for

District of Oregon

U.S.A. vs CHRISTOPHER PATRICK McGOWAN

Docket No. CR 05-302-04-HA

TO: Any U.S. Marshal or any other authorized officer

WARRANT FOR ARREST OF PROBATIONER/SUPERVISED RELEASEE

You are hereby commanded to arrest the within-named probationer/supervised releasee and bring him or her, forthwith, before the United States District Court to answer charges that he or she violated the conditions of his or her supervision imposed by the court.

NAME OF PROBATIONER/SUPERVISED RELEASEE
 Christopher Patrick McGowan

SEX M RACE B AGE 32

ADDRESS (STREET, CITY, STATE)
 (Last Known)
 200 South Longview Way, Apt. 26
 Oregon City, OR 97045

SENTENCE IMPOSED BY (NAME OF COURT)
 U.S. District Court, Portland, Oregon

DATE IMPOSED
 May 24, 2007

TO BE BROUGHT BEFORE (NAME OF COURT, CITY, STATE)
 U.S. District Court, Portland, Oregon

SHERYL S. McCONNELL
 CLERK

(BY DEPUTY CLERK)

DATE

RETURN

Warrant received and executed.

Date Received

Date Executed

EXECUTING AGENCY (NAME AND ADDRESS)

NAME

(BY)

DATE

Certified to be a true and correct copy of original
 Dated 10/30/07
 By Sheryl S. McConnell, Clerk
 Deputy

¹Insert designation of officer to whom the warrant is issued, e.g., "any United States Marshal or any other authorized officer;" or "United States Marshal for _____ District of _____;" or "any United States Marshal;" or "any Special Agent of the Federal Bureau of Investigation;" or "any United States Marshal or any Special Agent of the Federal Bureau of Investigation;" or "any agent of the Alcohol Tax Unit."

UNITED STATES DISTRICT COURT

PROB 12C-OR
(07-07-05)

for

PETITION FOR WARRANT
AND
ORDER TO SHOW CAUSE

DISTRICT OF OREGON

FILED OCT 30 15:57 USDC-ORP

U.S.A. vs. CHRISTOPHER PATRICK McGOWAN

Docket No. CR 05-302-04-HA

Petition on Probation and Supervised Release

COMES NOW MATTHEW K. PREUITT, PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Christopher McGowan, who was placed on supervision by The Honorable Ancer L. Haggerty sitting in the court at Portland, Oregon, on the 16th day of October, 2006, who fixed the period of supervision at 3 years,* and imposed the general terms and conditions theretofore adopted by the court.

*Term of supervised release commenced on May 24, 2007.

Certified to be a true and correct copy of original filed
in my office.

Dated: OCT 30 2007
By Sheryl S. McConnell, Clerk
m. Kenney Deputy

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:
(If short insert here; if lengthy write on separate sheet and attach)

Violation of Special Condition No. 1—Failing to pay restitution. McGowan was ordered at the time of sentencing to pay restitution in the amount of \$44,860, at a rate of \$75 per month joint and severally with his codefendants. McGowan paid \$20 on July 27, 2007, and has not made any restitution payments since.

Violation of Standard Condition No. 4—Failing to participate in urinalysis testing. On August 30, 2007, McGowan was placed on a random urinalysis program. He failed to submit random UA's on September 2, 4, 22, October 16, and 27, 2007.

Violation of Standard Condition No. 7—Failing to report to the probation officer as directed. On October 4, 2007, during an office visit, I directed McGowan to report back to the U.S. Probation Office on October 11, 2007. McGowan failed to report as directed. He did not call to cancel or reschedule this appointment.

Violation of Standard Condition No. 11—Failing to notify the probation officer within 72 hours of a change in residence. On October 17, 2007, Sarah Kinsey, McGowan's roommate and mother of his youngest child, advised that McGowan had moved out of the residence on October 12, 2007. McGowan has failed to notify the U.S. Probation Office of this change of residence. His current whereabouts are unknown.

Violation of Standard Condition No. 12—Using Controlled Substances. McGowan submitted urinalysis samples positive for cocaine on August 30, and September 27, 2007.

RECOMMENDED ACTION: Based upon the above allegations, probable cause has been established that a violation of supervised release has been committed. It is recommended the Court order the issuance of a warrant and order to show cause why McGowan's term of supervised release should not be revoked.

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 30, 2007.

Respectfully,

ORDER OF THE COURT

Matthew K. Preuitt
U.S. Probation Officer
Portland, Oregon

Assistant U.S. Attorney

Considered and ordered this 30 day of October, 2007, and
ordered filed and made a part of the records in the above case.

The Honorable Ancer L. Haggerty
Chief U.S. District Judge